

<b>Notic of Allowability</b>	Application N .	Applicant(s)	
	10/813,519	AZEVEDO ET AL.	
	Examin r	Art Unit	
	Jasmine Song	2188	

**-- The MAILING DATE of this communication appears n th cover sheet with th correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed on 03/30/2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>03/30/04</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
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## **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Darrin Wesley Harris (40,636) on 05/26//2006.

Claims 6-13 and 19 have been amended (see attached proposed amendment filed on 05/26//2006).

## **Allowable Subject Matter**

2. Claims 1-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The limitations not found in the prior art of record include a method for operating a data initiator device in communicating with a data target device based on a plurality of data tag sets, and the method comprising that data tag designation encompasses an equal or unequal distribution of data tags among two or more data tag sets and an allocation of the two or more data tag sets to a data transfer protocol, the prior art of record further does not teach the data tag designation encompasses an operation of a data initiator device in tactical designating one data tag set at a time for tagging data transfers between the data initiator device and a data target device to minimize any occurrences of an

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incorrect correspondence of a data unit to an issued data transfer command as described in all independent claims 1,7 and 14.

Claims 2-6,8-13 and 15-20 are respectively allowable as dependent on independent claims above and incorporated additional allowable features therein.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine Song whose telephone number is 571-272-4213. The examiner can normally be reached on 7:30-5:30 (first Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 571-272-4210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Jasmine Song

Patent Examiner

May 26, 2006

Mano Padmanabhan  
5/3-106

Mano Padmanabhan

Supervisory Patent Examiner

Technology Center 2100

**MANO PADMANABHAN  
SUPERVISORY PATENT EXAMINER**

**Song, Jasmine**

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**Sent:** Friday, May 26, 2006 4:27 PM

**T :** Song, Jasmine

**Subject:** 10/813,519

Examiner Song,

Per our telephonic conversation of May 26, 2006, there is a claim listing of examiner amendments to claims 6-13 and 19 that places case 10/813,519 in condition for allowance. Please call me at [redacted] or email me at [redacted] with any additional amendments, questions or comments.

6. (Examiner Amendment) The method of claim 5, further comprising:  
re-designating the first set of at least one data tag for tagging data transfers in lieu of the fourth set of at least one data tag in response to a detection of a [third] fourth error associated with an execution of the [third] fourth data transfer command;

attaching a fifth data tag from the first set of at least one data tag to a fifth data transfer command directed to a fifth data transfer between the data initiator device and the data target device subsequent to the re-designation of the first set of at least one data tag for tagging data transfers; and

issuing the fifth data transfer command with the attached fifth data tag to the data target device.

7. (Examiner Amendment) A [signal bearing] computer readable medium tangibly embodying a program of machine-readable instructions executable by a processor to perform operations to operate a data initiator device in communicating with a data target device based on a plurality of data tag sets, the operations comprising:

designating a first set of at least one data tag for tagging data transfers for transferring data between the data initiator device and the data target device;

attaching a first data tag from the first set of at least one data tag to a first data transfer command directed to a first data transfer between the data initiator device and the data target device subsequent to the designation of the first set of at least one data tag for tagging data transfers;

issuing the first data transfer command with the attached first data tag to the data target device;

designating a second set of at least one data tag for tagging data transfers in lieu of the first set of at least one data tag in response to a detection of a first error associated with an execution of the first data transfer command;

attaching a second data tag from a second set of at least one data tag to a second data transfer command directed to a second data transfer between the data initiator device and the data target device subsequent to the designation of the second set of at least one data tag for tagging data transfers; and

issuing the second data transfer command with the attached second data tag to the data target

device.

8. (Examiner Amendment) The [signal bearing] computer readable medium of claim 7, wherein the operations further include:

re-designating the first set of at least one data tag for tagging data transfers in lieu of the second set of at least one data tag in response to a detection of a second error associated with an execution of the second data transfer command;

attaching a third data tag from the first set of at least one data tag to a third data transfer command directed to a third data transfer between the data initiator device and the data target device subsequent to the re-designation of the first set of at least one data tag for tagging data transfers; and

issuing the third data transfer command with the attached third data tag to the data target device.

9. (Examiner Amendment) The [signal bearing] computer readable medium of claim 7, wherein the operations further include:

designating a third set of at least one data tag for tagging data transfers in lieu of the second set of at least one data tag in response to a detection of a second error associated with an execution of the second data transfer;

attaching a third data tag from the third set of at least one data tag to a third data transfer command directed to a third data transfer between the data initiator device and the data target device subsequent to the designation of the third set of at least one data tag for tagging data transfers; and

issuing the third data transfer command with the attached third data tag to the data target device.

10. (Examiner Amendment) The [signal bearing] computer readable medium of claim 9, wherein the operations further include:

re-designating the first set of at least one data tag for tagging data transfers in lieu of the third set of at least one data tag in response to a detection of a third error associated with an execution of the third data transfer command;

attaching a fourth data tag from the first set of at least one data tag to a fourth data transfer command directed to a fourth data transfer between the data initiator device and the data target device subsequent to the re-designation of the first set of at least one data tag for tagging data transfers; and

issuing the fourth data transfer command with the attached fourth data tag to the data target device.

11. (Examiner Amendment) The [signal bearing] computer readable medium of claim 9, wherein the operations further include:

designating a fourth set of at least one data tag for tagging data transfers in lieu of the third set of at least one data tag in response to a detection of a third error associated with an execution of the third data transfer command;

attaching a fourth data tag from the fourth set of at least one data tag to a fourth data transfer command directed to a fourth data transfer between the data initiator device and the data target device subsequent to the designation of the fourth set of at least one data tag for tagging data transfers; and  
 issuing the fourth data transfer command with the attached fourth data tag to the data target device.

12. (Examiner Amendment) The [signal bearing] computer readable medium of claim 11, wherein the operations further include:

re-designating the first set of at least one data tag for tagging data transfers in lieu of the fourth set of at least one data tag in response to a detection of a [third] fourth error associated with an execution of the [third] fourth data transfer command;

attaching a fifth data tag from the first set of at least one data tag to a fifth data transfer command directed to a fifth data transfer between the data initiator device and the data target device subsequent to the re-designation of the first set of at least one data tag for tagging data transfers; and

issuing the fifth data transfer command with the attached fifth data tag to the data target device.

13. (Examiner Amendment) The [signal bearing] computer readable medium of claim 7, further comprising:

means for allocating the plurality of data tag sets to a data transfer protocol for conducting data transfers between the data initiator device and the data target device.

19. (Examiner Amendment) The data initiator device of claim 18, wherein the instructions further include:

re-designating the first set of at least one data tag for tagging data transfers in lieu of the fourth set of at least one data tag in response to a detection of a [third] fourth error associated with an execution of the [third] fourth data transfer command;

attaching a fifth data tag from the first set of at least one data tag to a fifth data transfer command directed to a fifth data transfer between the data initiator device and the data target device subsequent to the re-designation of the first set of at least one data tag for tagging data transfers; and

issuing the fifth data transfer command with the attached fifth data tag to the data target device.

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